IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLN.NO.573 OF 2007

Ramesh Birsingh Dharma Choudhary ..Applicant

Vs.

State of Maharashtra ..Respondents

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Mr.Murtaza M.Najmi Adv. (appointed) for applicant
Mr.K.V.Saste A.P.P. for the State

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CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : APRIL 17, 2007

P.C.

1. Heard. Perused the papers pertaining to this case.

2. The applicant is seeking bail in C.R.No.6 of 2006 of Kasa Police Station. The said case is under Sections 302 and 201 of IPC.

3. The complainant-Suresh has stated that while he along with witness Santosh was standing at 7.00 p.m. near Mallik hotel near highway, they saw a truck had stopped nearby and the truck driver who was balding, was throwing something from the truck.

Thereafter, he saw that driver threw one person from the truck. These two witnesses ran near the truck and tried to stop the truck but the truck driver drove away the said truck i.e. MH-06/AC-511. These two witnesses and complainant saw that the person who was thrown out from the truck was dead and he had injury on his head. The complainant immediately informed the police chowky which was nearby about the number of the truck. The police immediately set into motion and traced the truck and the driver and brought them to the police station. There the complainant identified the driver to be the present applicant. There is recovery of blood stained clothes as well as blood stained sattur at the instance of the applicant. In this view of the matter, I do not think that this is a fit case to grant bail. Office to inform this order to the Applicant who is in jail.

4. Application is rejected.

[Smt.V.K.Tahilramani, J.]